

SCOTT N. SCHOOLS, SC SBN 9990
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

NISHAT KOUSAR,

Plaintiff,

v.

ROBERT MUELLER, III, Director,
 Federal Bureau of Investigations;
 GREGORY CHRISTIAN, Acting Director,
 Nebraska Service Center, USCIS;
 EMILIO GONZALES, Director, U.S.
 Citizenship and Immigration Services (USCIS);
 MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;
 PAUL CLEMENT, Acting Attorney General,
 Department of Justice;
 TERRY RICE, San Francisco Field Office
 Director, USCIS;

Defendants.

No. C 07-5221 EDL

**PARTIES' JOINT REQUEST TO BE
 EXEMPT FROM FORMAL ADR
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this Parties' Request to be Exempt from ADR Process
 C07-5221 EDL

1 mandamus action is limited to plaintiff's request that this Court compel defendants to adjudicate
2 her application for adjustment of status. Given the substance of the action and the lack of any
3 potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax
4 court resources.

5 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the
6 ADR Multi-Option Program and that they be excused from participating in the ADR phone
7 conference and any further formal ADR process.

8 Dated: December 28, 2007

Respectfully submitted,

9 SCOTT N. SCHOOLS
United States Attorney

10
11 /s/
12 ILA C. DEISS
Assistant United States Attorney
13 Attorney for Defendants

14
15 Dated: December 31, 2007

16 /s/
BEN LOVEMAN
Attorney for Plaintiff

17
18 **ORDER**

19 Pursuant to stipulation, IT IS SO ORDERED.

20
21
22 Date: January 14, 2008

23 ELIZABETH D. LAPORTE
United States Magistrate Judge

